

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NELS CHRISTIANSON,

Plaintiff,

v.

WASHINGTON STATE
UNIVERSITY,

Defendant.

CASE NO. C22-5612 BHS

ORDER

This matter comes before the Court on Plaintiff Nels Christianson's Motion for Extension of Time, Dkt. 7, and Motion to Dismiss, Dkt. 10.

Christianson sued Defendant Washington State University pro se in August 2022 alleging that the University violated Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 when it terminated him because he refused to get vaccinated against COVID-19. Dkt. 1. He claims that his termination on those grounds amounted to religious discrimination because the University refused to accommodate him despite his filing a religious accommodation exemption. *Id.* He also

1 claims that the University accommodated younger individuals and that his termination
2 therefore also amounted to age discrimination. *Id.*

3 Christianson moved for an extension of time to respond to the University's
4 answer. Dkt. 7. Shortly thereafter he moved to voluntarily dismiss his complaint. Dkt. 10.
5 He avers he would like to dismiss his complaint because "a family member's health has
6 declined significantly and home health care is imminent" and he is therefore precluded
7 from managing this case. *Id.* at 1. He also states that he "no longer seeks the relief as
8 requested in the original complaint." *Id.*

9 After the defendant has answered the plaintiff's complaint, "an action may be
10 dismissed at the plaintiff's request only by court order, on terms that the court considers
11 proper." Fed. R. Civ. P. 41(a)(2).

12 The Court concludes that voluntary dismissal is appropriate. Christianson's
13 Motion to Dismiss, Dkt. 10, is therefore **GRANTED** and the case is **DISMISSED**
14 **without prejudice**. Christianson's Motion for Extension of Time, Dkt. 7, is **DENIED as**
15 **moot**.

16 The Clerk shall enter a JUDGMENT and close the case.

17 Dated this 19th day of October, 2022.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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